IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 15TH JUNE 2007 / 25TH JYAISHTA 1929

WP(C).No. 1085 of 2004(D)

PETITIONER:

K.G. MANOJ, JUNIOR HEALTH INSPECTOR GR.I
PUBLIC HEALTH CENTRE, MAMBRA,
THRISSUR DISTRICT, NOW RESIDING AT 33/1201 D
MSN ROAD, CHALIKKAVATTOM, VYTTILA, ERNAKULAM.

BY ADV. SRI.M.P.ASHOK KUMAR

RESPONDENTS:

1. **STATE OF KERALA, REP. BY THE SECRETARY TO GOVT., HEALTH SERVICE DEPARTMENT, SECRETARIAT, TRIVANDRUM.**
2. **THE DISTRICT MEDICAL OFFICER OF HEALTH, THRISSUR.**
3. **MEDICAL OFFICER IN CHARGE, PRIMARY HEALTH CENTRE, MAMBRA, THRISSUR DISTRICT.**

BY GOVERNMENT PLEADER SMT.K.R.DEEPA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.1085/2004

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE APPOINTMENT ORDER NO.A7(A4)/3079/89 DY.31.5.95.

EXT.P2:- COPY OF THE PROMOTION ORDER NO.EG3-1000/98/DHS DT. 5.4.99 PASSED BY THE DIRECTOR OF HEALTH SERVICE.

EXT.P3:- COPY OF THE COVERING LETTER DT. 10.7.02.

EXT.P4:- COPY OF THE LEAVE APPLICATION DT. 10.7.02.

EXT.P5:- COPY OF THE ORDER PASSED BY THE GOVERNMENT DT. 26.8.02.

EXT.P6:- COPY OF THE ORDER DT. 20.9.02.

EXT.P7:- COPY OF THE MEMO OF CHARGE DT. 24.9.02.

EXT.P8:- COPY OF THE SHOW CAUSE NOTICE DT. 10.5.03.

EXT.P9:- COPY OF THE REPLY SUBMITTED BY THE PETITIONER DT. 10.6.03.

EXT.P10:- COPY OF THE ORDER PASSED BY THE DMO DT. 8.12.03.

/TRUE COPY/

tss

KURIAN JOSEPH, J.

W.P. (C). NO. 1085 OF 2004

Dated this the 15th day of June, 2007.

J U D G M E N T

Petitioner is aggrieved by Exhibit P10 order passed by the District Medical Officer of Health removing him from service on the ground of unauthorized absence. Since the order was passed only by the District Medical Officer, it is for the petitioner to pursue his statutory remedies, it is pointed out.

2. This writ petition is hence disposed of without prejudice to the liberty to the petitioner to pursue his statutory remedy before the Government. It is made clear that in the event of such a remedy being pursued within two months from today, the same shall be duly considered by the Government with notice to the petitioner and appropriate orders in accordance with law will be passed within another four months.

KURIAN JOSEPH, JUDGE.

smp